

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

BENJAMIN DWAYNE SCOTT

PLAINTIFF

v.

Civil No. 06-6007

SERGEANT R. RADLEY;
NURSE T. HARMON; OFFICER
J. DUNN; OFFICER B. STRICKLAND;
OFFICER DODGE; CAPTAIN M.
STEED; CHIEF HOLT; and
SHERIFF LARRY SANDERS

DEFENDANTS

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

Benjamin Dwayne Scott filed this pro se civil rights action pursuant to 42 U.S.C. § 1983 on February 27, 2006. At the time he filed the complaint, Scott was an inmate of the Garland County Detention Center.

Scott did not pay the filing fee or supply the court with an application to proceed *in forma pauperis* (IFP). For this reason, the complaint was provisionally filed (Doc. 2). The clerk of court was directed to mail Scott an IFP application. Scott was given thirty days to complete the application and have an authorized officer at the institution complete the certificate and return the application for review (Doc. 2).

To date, Scott has not returned the completed IFP application. He has not paid the filing fee. He has not requested an extension of time to provide the court with the completed IFP application.

I therefore recommend Scott's complaint be dismissed on the grounds he has failed to obey an order of this court. Scott has failed to pay the filing fee or provide a completed IFP application to the court. *See* Fed. R. Civ. P. 41(b).

Scott has ten days from receipt of the report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. Scott is reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 17th day of July 2006.

/s/ Bobby E. Shepherd
UNITED STATES MAGISTRATE JUDGE